

**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**NOVEMBER 12, 2002**  
**7:30 P.M.**  
**COUNCIL CHAMBERS**  
**5300 BELT LINE ROAD**

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**REGULAR SESSION**

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Item #R1 - Consideration of Old Business.

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Item #R2 - Consent Agenda.

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## CONSENT AGENDA

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#2a - Approval of the Minutes for the October 22, 2002 Council Meeting.

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#2b - Consideration of approval and Resolution authorizing the City Manager to enter into a contract with Hand & Associates to advertise in the November 2002, March 2003 and August 2003 editions of the Addison and the North Dallas Corridor Guide publication.

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#2c - Consideration of a Resolution approving a sponsorship agreement in the amount of \$50,000 with the Cavanaugh Flight Museum for marketing events and promotional material.

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#2d - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$15,000.00 with Texas Chamber Orchestra for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2e - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$ 8,500.00 with Brookhaven College Center for the Arts for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2f - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$6,600.00 with Dance Council for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2g - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$8,700.00 with Repertory Company Theatre (RCT) for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2h - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$230,000.00 plus up to \$150,000.00 matching funds with WaterTower Theatre for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2i - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$9,000.00 with Metrocrest Chamber of Commerce for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2j - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$15,000.00 with Metrocrest Social Service Center for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2k - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$15,000.00 with Senior Adult Services for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2l - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$5,000.00 with The Family Place for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2m - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$30,000.00 with Communities in Schools for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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#2n - Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$5,000.00 with Special Care and Career Services for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

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Item #R3 - Presentation of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award to the Town of Addison for the fiscal year beginning October 1, 2001.

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Item #R4 - **PUBLIC HEARING** and Consideration of an Ordinance requesting approval of a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for a brewpub, located on 1.82 acres between Addison Road and the Dallas North Tollway, north of Sojourn Drive, on application from Two Rows Restaurant and Brewery, Inc. represented by Mr. Mike Brotzman and Mr. Rusty Loeffler.

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Item #R5 - Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-162 Monument Signs, for Emerald Plaza Building located at 14900 Landmark Boulevard, on application from A Sign of Quality.

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Item #R6 - Consideration of a Resolution authorizing the City Manager to execute an agreement to donate certain items of historical interest to the Museum of Dallas County, Old Red Courthouse.

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Item #R7 - Consideration of a Resolution authorizing the City Manager to enter into a contract with Hotel Intercontinental to host the 2003 North Texas Jazz Festival in Addison.

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Item #R8 - Consideration of a Resolution authorizing the City Manager to enter into a contract with Xelerate Group to provide marketing, events and sponsorship services November 1, 2002-September 30, 2003 for the Town of Addison.

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Item #R9 - Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$28,500.00 with AriaMedia Co. to redesign the Addisontexas.net web site.

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Item #R10 - Consideration of a Resolution supporting necessary legislation and DART policy changes to allow expansion and extension of DART services to local government jurisdictions through local option citizen elections pledging payments to the DART system in an amount equivalent to a one-cent sales tax.

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Item #R11 - **PUBLIC HEARING** and **SECOND READING** of an Ordinance amending the existing Electric Franchise of the Town between the Town and Oncor Electric Delivery Company to provide for a different consideration (being a sum comprised of (i) a charge authorized by Section 33.008(b) of the Texas Public Utility Regulatory Act based on each kilowatt hour of electricity delivered by Oncor to each retail customer whose consuming facility's point of delivery is located within the Town municipal boundaries, and (ii) a sum equal to four percent (4%) of gross revenues received by Oncor from services identified in its "Tariff for Retail Delivery Services", Section 6.1.2, "Discretionary Service Charges", items DD1 through DD24, that are for the account or benefit of an end-use retail electric consumer; providing that Oncor may file a tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges, and that the Town will not take action to prohibit the recovery of such franchise fees; providing for acceptance by Oncor Electric Delivery Company; providing a savings clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; providing for two readings of this Ordinance, and for final passage not earlier than thirty (30) days after the date of the first reading of this Ordinance; providing an effective date thirty (30) days after the date of the final passage.

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Item #R12 - **PUBLIC HEARING** and **SECOND READING** of an Ordinance amending the existing Gas Franchise of the Town between the Town and TXU Gas Company to provide for a different consideration (being four percent (4%) of the gross revenues received by TXU Gas ("gross revenues" being defined in part to mean all revenue derived or received, directly or indirectly, by TXU Gas Company from or in connection with the operation of the gas distribution system within the corporate limits of the Town)); providing for a most favored nations clause; providing that TXU Gas Company may file a tariff amendment(s) to provide for the recovery of the franchise fees under this amendment, and that the Town will not take action to prohibit the recovery of such franchise fees; providing that TXU shall have the right to lease, license or otherwise grant to a party other than TXU Gas the use of its facilities within the City's public rights-of-way under the conditions stated in the Ordinance; providing for acceptance by TXU Gas Company; providing a savings clause; finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law; providing for two reading of this Ordinance, and for final passage not earlier than thirty (30) days after the date of the first reading of this Ordinance; providing an effective date thirty (30) days after the date of the final passage.

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Item #R13 - **PUBLIC HEARING** and Consideration of an Ordinance authorizing that finding, after reasonable notice and hearing, that TXU Gas Distribution's rates and charges within the Town should be changed; determining just and reasonable rates; adopting general service rates including rate adjustment provisions and miscellaneous service charges to be charged for sales and transportation of natural gas to residential, commercial and industrial customers; providing for recovery of rate case expenses; preserving regulatory rights of the city; providing for repeal of conflicting ordinances; providing for an effective date.

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### **EXECUTIVE SESSION**

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Item #ES1 - Closed (Executive) Session of the City Council, pursuant to Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay, or expand in or near the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect.

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Item #ES2 - Closed (Executive) session of the City Council, pursuant to Section 551.071 and 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase of a 0.0256 acre tract of land for permanent right-of-way and a temporary easement in a 0.0267 acre tract of land for construction purposes (both tracts located generally at 4799 Belt Line Road).

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### **REGULAR SESSION**

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Item #R14 - Consideration of a Resolution approving an Economic Development Incentive Agreement (sales tax grant (rebate)) and authorizing the City Manager to execute the Agreement on behalf of the City.

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Item #R15 - Consideration of a Resolution authorizing the City Manager to purchase an easement in a 0.0256 acre tract of land for permanent right-of-way and a temporary easement in a 0.0267 acre tract of land for construction purposes (both tracts located generally at 4799 Belt Line Road).

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Adjourn Meeting

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Posted 5:00 p.m.  
November 7, 2002  
Carmen Moran  
City Secretary

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**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS  
WITH DISABILITIES. PLEASE CALL (972) 450-2819 AT LEAST  
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**